

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOSEPH SHALLOW,

Plaintiff,

v.

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY,

Defendant.

CIVIL ACTION

NO. 20-01336

ORDER

AND NOW, this 30th day of March 2020, upon consideration of Defendant's Motion to Dismiss Count II (ECF No. 6) and Plaintiff's Response (ECF No. 7), it is hereby **ORDERED** that:

1. The Motion to Dismiss is **GRANTED**;
2. Count II is **DISMISSED** without prejudice; and
3. Plaintiff is granted leave to file an amended complaint on or before Wednesday, April 15, 2020; or
4. If Plaintiff does not desire to amend, he may file an appropriate notice with the Court on or before Wednesday, April 15, 2020 asserting his intent to stand on the remaining claim in the Complaint.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.